IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 10983 of 2002

Between:

Smt. B. Kalia Bai W/o. B. Venkata Das Singh
R/o. Kondusingh Street, Bogale, Bitragunta, Nellore District.

..... PETITIONER

AND

1.The Divisional Railway Manager (P), South Central Railway,
Vijayawada, Krishna District.
2.The Senior Divisional Personnel Officer
South Central Railway Vijayawada, Krishna District.
3.The Welfare Inspector, South Central Railways,
Vijayawada, Krishna District.
4.The General Manager,
South Central Railways, Secunderabad, A.P.
5.The Chief Personnel Officer,
South Central Railways, Secunderabad, A.P.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the petitions dated 21.7.2001 and 10.6.2002 sent by the petitioner the High Court will be pleased to issue an Order, Direction, or a Writ, more particularly one in the nature of Writ of Mandamus calling for records and remarks from the Respondents herein, in and connected to:- (1) Non-payment of family pension benefits to the petitioner herein, who is the wife of Sri B. Venkata Das Singh, who retired from Railways service on Superannuation on 31-8-1988 and is

drawing pension, since 1-9-1988, disappeared from the house on 1-9-1999 and all efforts including the lodging of complaint to the Bitragunta Police Station on 9.10.2000 to trace him became futile, (2) Submission of her representation with all necessary documents to the Railway authorities on 16-10-2000 and on 4-11-2001 and her subsequent reminders and to pass appropriate orders directing the concerned authorities to sanction family pension to the petitioner herein, with effect from 2.9.1999 to save her from starvation, sickness and mental agony.

Counsel for the Petitioner: TAKEN UP

Counsel for the Respondents: MR.GOURI SHANKAR SANGHI

The Court made the following :

ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

As per the affidavit in reply filed by S.P.Dayanand, Senior Divisional Personnel Officer, Respondent No.1, the husband of the petitioner had retired from service on 30.4.1977 on attaining the age of superannuation. The Railways had no knowledge of missing of the husband of the petitioner. The fact of missing of Sri Venkata Das Singh was learnt only from the reference of Assistant Registrar of Legal Services. It has been stated that the family pension was already granted to the petitioner on 2.5.1977, and, accordingly, the petitioner became entitled to the family pension from the date following the date of death of the petitioner. Case was duly processed on receipt of the documents from the petitioner and family pension was sanctioned vide Pension Payment Order dated: 3.10.2002. In that view of the matter, no further direction deserves to be issued in this Writ Petition, which stands closed.

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DEVINDER GUPTA, C.J.

24.1.2005.

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M.NARAYANA REDDY, J.

VR.

To

1.The Divisional Railway Manager (P), South Central Railway,
Vijayawada, Krishna District.
2.The Senior Divisional Personnel Officer
South Central Railway Vijayawada, Krishna District.
3.The Welfare Inspector, South Central Railways,
Vijayawada, Krishna District.
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